

AMENDED IN ASSEMBLY MAY 10, 2007

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 1061

Introduced by Assembly Member Mullin

February 23, 2007

An act to amend Sections 33126, 33126.1, 35256, and 35258 of the Education Code, relating to school accountability.

LEGISLATIVE COUNSEL'S DIGEST

AB 1061, as amended, Mullin. School accountability: report card.

The Classroom Instructional Improvement and Accountability Act; requires the governing board of each school maintaining an elementary or secondary school to develop and cause to be implemented for each school in the district a school accountability report card that includes assessments of various school conditions, as specified. ~~The existing act~~ prohibits any change to its provisions, except a change to further its purposes enacted by a bill passed by a vote of $\frac{2}{3}$ of the Legislature and signed by the Governor.

This bill would delete certain items from the list of school conditions for which assessments are required to be included in the school accountability report card, including, *among others*, the quality of school instruction and leadership, *classroom discipline and climate for learning*, the degree to which pupils are prepared to enter the workforce, and whether the school qualifies for the Governor's Performance Award Program. The bill would state legislative findings and declarations that the changes made to ~~the existing act~~ by those provisions further the purposes of ~~the existing act~~.

Existing law requires the State Department of Education to develop and recommend for adoption a standardized template for the school

accountability report card. ~~Existing law requires local~~ *The standardized template is required to include specified information. Local educational agencies are required to make the report cards available through the Internet or through paper copies.*

This bill would require the standardized template to include additional information. The department would be required to report to the Legislature and the Governor by February 1, 2008, on the remaining elements in the school accountability report card, on the feasibility of combining elements, and on alternatives for improving the usability and readability of the school accountability report card. The bill would require each school district, commencing with the 2008–09 school year, to make its most recent school accountability report card available through the Internet or hard copies on or before February 1 of each year, as specified.

This bill would delete obsolete provisions and make clarifying and other technical changes.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 33126 of the Education Code is amended
2 to read:
3 33126. (a) The school accountability report card shall provide
4 data by which a parent can make meaningful comparisons between
5 public schools that will enable him or her to make informed
6 decisions on which school to enroll his or her children.
7 (b) The school accountability report card shall include, but is
8 not limited to, assessment of the following school conditions:
9 (1) (A) Pupil achievement by grade level, as measured by the
10 standardized testing and reporting programs pursuant to Article 4
11 (commencing with Section 60640) of Chapter 5 of Part 33.
12 (B) After the state develops a statewide assessment system
13 pursuant to Chapter 5 (commencing with Section 60600) and
14 Chapter 6 (commencing with Section 60800) of Part 33, pupil
15 achievement by grade level, as measured by the results of the
16 statewide assessment.
17 ~~(C) Secondary schools with high school seniors shall list both~~
18 ~~the average verbal and math Scholastic Assessment Test scores to~~

1 ~~the extent provided to the school and the percentage of seniors~~
2 ~~taking that exam for the most recent three-year period.~~

3 (2) Progress toward reducing dropout rates, including the
4 one-year dropout rate listed in the California Basic Educational
5 Data System or ~~any~~ a successor data system for the schoolsite over
6 the most recent three-year period, and the graduation rate, as
7 defined by the ~~State Board~~ *state board*, over the most recent
8 three-year period when available pursuant to Section 52052.

9 (3) Estimated expenditures per pupil and types of services
10 funded. The assessment of estimated expenditures per pupil shall
11 reflect the actual salaries of personnel assigned to the schoolsite.
12 The assessment of estimated expenditures per pupil shall be
13 reported in total, shall be reported in subtotal by restricted and by
14 unrestricted source, and shall include a reporting of the average
15 of actual salaries paid to certificated instructional personnel at that
16 schoolsite.

17 (4) Progress toward reducing class sizes and teaching loads,
18 including the distribution of class sizes at the schoolsite by grade
19 level and the average class size, using the California Basic
20 Educational Data System or ~~any~~ a successor data system
21 information for the most recent three-year period.

22 (5) The total number of the school's fully credentialed teachers,
23 the number of teachers relying upon emergency credentials, the
24 number of teachers working without credentials, any assignment
25 of teachers outside their subject areas of competence,
26 misassignments, including misassignments of teachers of English
27 learners, and the number of vacant teacher positions for the most
28 recent three-year period.

29 (A) For purposes of this paragraph, "vacant teacher position"
30 means a position to which a single-designated certificated employee
31 has not been assigned at the beginning of the year for an entire
32 year or, if the position is for a one-semester course, a position of
33 which a single-designated certificated employee has not been
34 assigned at the beginning of a semester for an entire semester.

35 (B) For purposes of this paragraph, "misassignment" means the
36 placement of a certificated employee in a teaching or services
37 position for which the employee does not hold a legally recognized
38 certificate or credential or the placement of a certificated employee
39 in a teaching or services position that the employee is not otherwise
40 authorized by statute to hold.

(6) (A) Quality and currency of textbooks and other instructional materials, including whether textbooks and other materials meet state standards and are adopted by the ~~State Board~~ *state board* for kindergarten and grades 1 to 8, inclusive, and adopted by the governing boards of school districts for grades 9 to 12, inclusive, and the ratio of textbooks per pupil and the year the textbooks were adopted.

(B) The availability of sufficient textbooks and other instructional materials, as defined in Section 60119, for each pupil, including English learners, in each of *the* areas enumerated in clauses (i) to (iii), inclusive. If the governing board determines, pursuant to Section 60119 that there are insufficient textbooks or instructional materials, or both, it shall include information for each school in which an insufficiency exists, identifying the percentage of pupils who lack sufficient standards-aligned textbooks or instructional materials in each subject area. The subject areas to be included are all of the following:

(i) The core curriculum areas of reading/language arts, mathematics, science, and history/social science.

(ii) Foreign language and health.

(iii) Science laboratory equipment for grades 9 to 12, inclusive, as appropriate.

(7) The availability of qualified personnel to provide counseling and other pupil support services, including the ratio of academic counselors per pupil.

(8) Availability of qualified substitute teachers.

(9) Safety, cleanliness, and adequacy of school facilities, including any needed maintenance to ensure good repair as specified in Section 17014, Section 17032.5, subdivision (a) of Section 17070.75, and subdivision (b) of Section 17089.

(10) Adequacy of teacher evaluations and opportunities for professional improvement, including the annual number of schooldays dedicated to staff development for the most recent three-year period.

~~(11) Classroom discipline and climate for learning, including suspension and expulsion rates for the most recent three-year period.~~

~~(12)~~

(11) Teacher and staff training, and curriculum improvement programs.

1 ~~(13) The total number of instructional minutes offered in the~~
2 ~~school year, separately stated for each grade level, as compared~~
3 ~~to the total number of the instructional minutes per school year~~
4 ~~required by state law, separately stated for each grade level.~~

5 ~~(14) The total number of minimum days, as specified in Sections~~
6 ~~46112, 46113, 46117, and 46141, in the school year.~~

7 ~~(15)~~

8 ~~(12) The number of advanced placement courses offered, by~~
9 ~~subject.~~

10 ~~(16)~~

11 ~~(13) The Academic Performance Index, including the~~
12 ~~disaggregation of subgroups as set forth in Section 52052 and the~~
13 ~~decile rankings and a comparison of schools.~~

14 ~~(17) Whether a school qualified for the Immediate~~
15 ~~Intervention/Underperforming Schools Program pursuant to Section~~
16 ~~52053 and whether the school applied for, and received a grant~~
17 ~~pursuant to, that program.~~

18 ~~(18)~~

19 ~~(14) When available, the percentage of pupils, including the~~
20 ~~disaggregation of subgroups, as set forth in Section 52052,~~
21 ~~completing grade 12 who successfully complete the high school~~
22 ~~exit examination, as set forth in Sections 60850 and 60851, as~~
23 ~~compared to the percentage of pupils in the district and statewide~~
24 ~~completing grade 12 who successfully complete the examination.~~

25 ~~(19)~~

26 ~~(15) Contact information pertaining to any organized~~
27 ~~opportunities for parental involvement.~~

28 ~~(20) For secondary schools, the percentage of graduates who~~
29 ~~have passed course requirements for entrance to the University of~~
30 ~~California and the California State University pursuant to Section~~
31 ~~51225.3 and the percentage of pupils enrolled in those courses, as~~
32 ~~reported by the California Basic Educational Data System or any~~
33 ~~successor data system.~~

34 ~~(21) Whether the school has a college admissions test~~
35 ~~preparation course program.~~

36 ~~(22)~~

37 ~~(16) Career technical education data measures, including all of~~
38 ~~the following:~~

39 ~~(A) A list of programs offered by the school district that pupils~~
40 ~~at the school may participate in and that are aligned to the model~~

1 curriculum standards adopted pursuant to Section 51226, and
2 program sequences offered by the school district. The list should
3 identify courses conducted by a regional occupational center or
4 program, and those conducted directly by the school district.

5 (B) A listing of the primary representative of the career technical
6 advisory committee of the school district and the industries
7 represented.

8 (C) The number of pupils participating in career technical
9 education.

10 (D) The percentage of pupils that complete a career technical
11 education program and earn a high school diploma.

12 (E) The percentage of career technical education courses that
13 are sequenced or articulated between a school and institutions of
14 postsecondary education.

15 (c) If the Commission on State Mandates finds a school district
16 is eligible for a reimbursement of costs incurred complying with
17 this section, the school district shall be reimbursed only if the
18 information provided in the school accountability report card is
19 accurate, as determined by the annual audit performed pursuant
20 to Section 41020. If the information is determined to be inaccurate,
21 the school district is not ineligible for reimbursement if the
22 information is corrected by May 15.

23 (d) It is the intent of the Legislature that schools make a
24 concerted effort to notify parents of the purpose of the school
25 accountability report cards, as described in this section, and ensure
26 that all parents receive a copy of the report card; to ensure that the
27 report cards are easy to read and understandable by parents; to
28 ensure that local educational agencies with access to the Internet
29 make available current copies of the report cards through the
30 Internet; and to ensure that administrators and teachers are available
31 to answer any questions regarding the report cards.

32 SEC. 2. Section 33126.1 of the Education Code is amended to
33 read:

34 33126.1. (a) The department shall develop and recommend
35 for adoption by the ~~State Board~~ *state board* a standardized template
36 intended to simplify the process for completing the school
37 accountability report card and make the school accountability
38 report card more meaningful to the public.

39 (b) The standardized template shall include ~~fields~~ *all of the*
40 *following*:

1 (1) *Fields* for the insertion of data and information by the
2 department and by local educational agencies, ~~including a agencies.~~

3 (2) A field to report the determination of the sufficiency of
4 textbooks and instructional materials, as defined in Section 60119;
5 ~~and a 60119.~~

6 (3) A summary statement of the condition of school facilities,
7 as defined in Section 17014, Section 17032.5, subdivision (a) of
8 Section 17070.75, and subdivision (b) of Section 17089. The
9 department shall provide examples of summary statements of the
10 condition of school facilities that are acceptable and those that are
11 unacceptable. ~~When~~

12 (4) *A description of data available on the DataQuest Internet*
13 *Web site of the department, including the Uniform Resource*
14 *Locator for that Internet Web site.*

15 (5) *A description of admission requirements for California's*
16 *public universities, including the Uniform Resource Locator for*
17 *the University of California Internet Web site providing information*
18 *about each schools courses approved as meeting those*
19 *requirements.*

20 (6) *A statement concerning the availability of Internet access*
21 *at public libraries and other locations that are publicly accessible.*

22 (c) When the template for a school is completed, it should enable
23 parents and guardians to compare the manner in which local
24 schools compare to other schools within that district as well as
25 other schools in the state.

26 (e)

27 (d) In conjunction with the development of the standardized
28 template, the department shall furnish standard definitions for
29 school conditions included in the school accountability report card.
30 The standard definitions shall comply with the following:

31 (1) Definitions shall be consistent with the definitions already
32 in place or under the development at the state level pursuant to
33 existing law.

34 (2) Definitions shall enable schools to furnish contextual or
35 comparative information to assist the public in understanding the
36 information in relation to the performance of other schools.

37 (3) Definitions shall specify the data for which the department
38 will be responsible for providing and the data and information for
39 which the local educational agencies will be responsible.

1 ~~(d) By December 1, 2000, the department shall report to the~~
2 ~~State Board on the school conditions for which it already has~~
3 ~~standard definitions in place or under development.~~

4 *(e) By February 1, 2008, the department shall report to the*
5 *Legislature and the Governor on remaining data elements in the*
6 *school accountability report card and the feasibility of combining*
7 *elements, linking to other reporting of data elements, and other*
8 *possible alternatives for improving the usability and readability*
9 *of the school accountability report card. The report shall include*
10 *a survey of the conditions for which the department has valid and*
11 *reliable data at the state, district, or school level. The report shall*
12 *provide a timetable for the inclusion of conditions for which*
13 *standard definitions or valid and reliable data do not yet exist*
14 *through the department.*

15 ~~(e)~~

16 *(f) By December 1, 2000, the Superintendent shall recommend*
17 *and the State Board state board shall appoint 13 members to serve*
18 *on a broad-based advisory committee of local administrators,*
19 *educators, parents, and other knowledgeable parties to develop*
20 *definitions for the school conditions for which standard definitions*
21 *do not yet exist. The State Board state board may designate outside*
22 *experts in performance measurements in support of activities of*
23 *the advisory board.*

24 ~~(f)~~

25 *(g) By January 1, 2001, the State Board state board shall*
26 *approve available definitions for inclusion in the template as well*
27 *as a timetable for the further development of definitions and data*
28 *collection procedures. Each year the State Board state board shall*
29 *adopt the template for the current year's school accountability*
30 *report card. Definitions for all school conditions shall be included*
31 *in the template by July 1, 2002.*

32 ~~(g)~~

33 *(h) The department shall annually annually shall post the*
34 *completed and viewable template on the Internet. The template*
35 *shall be designed to allow schools or districts to download the*
36 *template from the Internet. The template shall further be designed*
37 *to allow local educational agencies, including individual schools,*
38 *to enter data into the school accountability report card*
39 *electronically, individualize the report card, and further describe*
40 *the data elements. The department shall establish model guidelines*

1 and safeguards that may be used by school districts with secured
2 access only for those school officials authorized to make
3 modifications.

4 ~~(h)~~

5 (i) The department shall maintain current Internet links with the
6 Internet Web sites of local educational agencies to provide parents
7 and the public with easy access to the school accountability report
8 cards maintained on the Internet. In order to ensure the currency
9 of these Internet links, local educational agencies that provide
10 access to school accountability report cards through the Internet
11 shall furnish current Uniform Resource Locators for their Internet
12 Web sites to the department.

13 ~~(i)~~

14 (j) A school or school district that chooses not to utilize the
15 standardized template adopted pursuant to this section shall report
16 the data for its school accountability report card in a manner that
17 is consistent with the definitions adopted pursuant to subdivision
18 (c).

19 ~~(j)~~

20 (k) The department shall provide recommendations for changes
21 to the California Basic Educational Data System, or ~~any~~ a successor
22 data system, and other data collection mechanisms to ensure that
23 the information will be preserved and available in the future.

24 ~~(k)~~

25 (l) The department shall monitor the compliance of local
26 educational agencies with the requirements to prepare and to
27 distribute school accountability report cards, including, but not
28 limited to, the requirements contained in this section, subdivision
29 (c) of Section 35256, and Section 35258.

30 SEC. 3. Section 35256 of the Education Code is amended to
31 read:

32 35256. School Accountability Report Card

33 The governing board of each school district maintaining an
34 elementary or secondary school shall, by September 30, 1989, or
35 the beginning of the school year, develop and cause to be
36 implemented for each school in the school district a School
37 Accountability Report Card.

38 (a) The School Accountability Report Card shall include, but
39 is not limited to, the conditions listed in Section 33126.

(b) Not less than triennially, the governing board of each school district shall compare the content of the ~~school district's~~ School Accountability Report Card *of the school district* to the model School Accountability Report Card adopted by the ~~State Board~~ *state board*. Variances among school districts shall be permitted where necessary to account for local needs.

(c) The governing board of each school district ~~shall annually~~ *annually shall* issue a School Accountability Report Card for each school in the school district, publicize those reports, and notify parents or guardians of pupils that a hard copy will be provided upon request. Commencing with the 2008-09 school year, each school district shall make hard copies of its most recent report card available, upon request, on or before February 1 of each year.

SEC. 4. Section 35258 of the Education Code is amended to read:

35258. (a) On or before July 1, 1998, each school district that is connected to the Internet shall make the information contained in the School Accountability Report Card developed pursuant to Section 35256 accessible on the Internet. The School Accountability Report Card information shall be updated annually. Commencing with the 2008-09 school year, each school district connected to the Internet shall make the information contained in its most recent report card available on the Internet on or before February 1 of each year.

(b) Commencing with the 2008-09 school year, each school district not connected to the Internet shall make hard copies of its most recent School Accountability Report Card available, pursuant to subdivision (c) of Section 35256, on or before February 1 of each year.

SEC. 5. The Legislature finds and declares that the changes made to Sections 33126 and 35256 of the Education Code by Sections 1 and 3, respectively, of this act further the purposes of the Classroom Instructional Improvement and Accountability Act.

SEC. 6. It is the intent of the Legislature, in enacting this act, to improve the effectiveness of the annual school accountability report cards.